

ATTORNEY DOCKET NO.: FMC-2



13

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Applica | tion of: Thomas M. Floyd, Jr.  | )  | Examiner   | : Unknown  |
|---------------|--|--|--|--|
| S/N:          | 10/721,807   | )  | Art Unit:  | 3727   |
| Filed:        | 11/25/2003   | )  | Conf. No.  | : 6207   |
| Title:        | Multi-wall Bag   | )  |  |  |
|               | STATEMENT UNDER 37 CF<br>INFORMATION DISCLO  |  |  |  |
| P O Box 145   | er for Patents   |  |  |  |
| Dear Sir:     |  |  |  |  |
| Applicant he  | reby certifies that: 37 CFR §  | 1.97(b)  |  |  |
| / <u>x</u> /  | The Information Disclosure Stawithin three months of the filip continued prosecution applicate months of the date of entry of 1.491 in an international application on the merits, or before filing of a request for continued | ng of a<br>tion und<br>the nat<br>cation; l<br>the mai | national adder 37 CF ional stage before the illing of a fire | application other than a<br>R 1.53(d); within three<br>as set forth in 37 CFR<br>mailing of a first Office<br>st Office action after the |
|               | 37 CFR §   | 1.97(c)  |  |  |
| //            | The Information Disclosure Sta<br>after the period specified in 37<br>Disclosure Statement is filed I<br>under 37 CFR 1.113, a Notice<br>Action that otherwise closes<br>accompanied by one of:                                | CFR 1.<br>before to<br>of Allo                         | 97(b) provi<br>the mailing<br>wance undo                     | ded that the Informatior<br>date of a Final Actior<br>er 37 CFR 1.311, or ar   |
| //            | the statement specified in 37 CF   | FR 1.97  | (e); OR  |  |
| //            | the fee set forth in 37 CFR 1.17   | (p).   |  |  |
| Robertson & M | ullinax, LLC 1   |  |  |  |

P O Box 26029 Greenville, SC 29616-1029 (V) 864 987 9696 (F) 864 987 9686

#### 37 CFR §1.97 (d)

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

#### 37 CFR §1.97(e)

- Statement under 37 CFR 1.97(e)(1) Each item of information contained in the accompanying Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.
- Statement under 37 CFR 1.97(e)(2) No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersign person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Please charge any additional fees required or credit any overpayments to Deposit Account No. 50-2802.

Respectfully submitted,

**ROBERTSON & MULLINAX, LLC** 

Y. Bennett Mullinax Reg. No. 36,221

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop IDS, Commissioner of Patents, P O Box 1450, Alexandria, VA 22313-1450 on

March 1/7, 200/1 (Date)

Signeture)

Peggy S. Baker

(Typed name of person signing)

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| S/N:         | 10/721,807                     | ) | Art Unit: 3727    |
| Filed:       | 11/25/2003                     | ) | Conf. No.: 6207   |
| Γitle:       | Multi-wall Bag                 | ) |                   |

## COMMUNICATION REGARDING 37 CFR §1.97 INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS Commissioner for Patents P O Box 1450 Alexandria, VA 22313-1450

#### Dear Sir:

With respect to the accompanying Information Disclosure Statement, Applicant would like to direct the Examiner's attention to the *Paper Shipping Sack Reference Guide* publication. Specifically, on pages 12 and 13, various types of paper and barrier coatings are described. Applicant notes that oriented polypropylene is listed as a common barrier material. Applicant respectfully submits that the oriented polypropylene discussed therein is the inner barrier layer adjacent the paper sack contents. As noted further on page 13, this reference states that "barrier plies do not usually contribute significantly to the overall strength of the paper sack."

As such, Applicant respectfully submits that reference is directed solely to the known teachings of the art of applying barrier coatings such as oriented polypropylene as an innermost layer of a sack. Applicant's claimed subject matter is directed to improved paper strength and barrier combinations for an outer ply of a multi-wall bag.

Respectfully submitted,

ROBERTSON & MULLINAX, LLC

J. Bennett Mullinax Reg. No. 36,221

PTO/SB/08A (08-03) Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

Sheet

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| Complete if Known      |                      |  |
|------------------------|----------------------|--|
| Application Number     | 10/721,807           |  |
| Filing Date            | 11/25/2003           |  |
| First Named Inventor   | Thomas M. Floyd, Jr. |  |
| Art Unit               | 3727                 |  |
| Examiner Name          | Unknown              |  |
| Attorney Docket Number | FMC-2                |  |

| Examiner              | Cite | D  |                                | DOCUMENTS  |   |
|-----------------------|------|--|--------------------------------|--|---|
| Examiner<br>Initials* | No.1 | Document Number  Number-Kind Code <sup>2 (f known)</sup> | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |      | <sup>US-</sup> 3,687,356                                 | 08/29/1972                     | Goodrich et al                                     |   |
|                       |      | <sup>US-</sup> 6,315,448 B1                              | 11/13/2001                     | Thrall   |   |
|                       |      | <sup>US-</sup> 6,599,016 B1                              | 07/29/2003                     | Culbertson et al                                   |   |
|                       |      | <sup>US-</sup> 2002/0050119 A1                           | 05/02/2002                     | Gatewood et al                                     |   |
|                       |      | <sup>US-</sup> 2002/0098304 A1                           | 07/25/2002                     | Bailey   |   |
|                       |      | <sup>US-</sup> 2003/0170408 A1                           | 09/11/2003                     | Egan   |   |
|                       |      | US-  |                                |  |   |
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|-----------------------|--------------|---|---------------------|--|---|----|
| Examiner<br>Initials* | Cite<br>No.1 | Foreign Patent Document   | Publication<br>Date | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages |    |
|                       |              | Country Code <sup>3 -</sup> Number <sup>4 -</sup> Kind Code <sup>5</sup> (if known) | MM-DD-YYYY          |  | Or Relevant Figures Appear                        | T⁵ |
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| Examiner  | Date       |  |
|-----------|------------|--|
| Signature |            |  |
| Signature | Considered |  |
|           |            |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08B (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

|       | e for form 1449/ |                 |           |                        | n of information unless it contains a valid OMB control number.  Complete if Known |
|-------|------------------|-----------------|-----------|------------------------|--|
|       |                  |                 |           | Application Number     | 10/721,807   |
| INFO  | DRMATI           | ON DIS          | CLOSURE   | Filing Date            | 11/25/2003   |
| STA   | TEMEN            | T BY A          | PPLICANT  | First Named Inventor   | Thomas M. Floyd, Jr.   |
|       | (I lea se mai    | ny sheets as ne | acaeean/l | Art Unit               | 3727   |
|       | (OSO as mai      | ny sneets as ne | cessary)  | Examiner Name          | Unknown  |
| Sheet | 2                | of              | 2         | Attorney Docket Number | FMC-2  |

|                       |                          | NON PATENT LITERATURE DOCUMENTS   |                |
|-----------------------|--------------------------|---|----------------|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                       |                          | Reference Guide For The Paper Shipping Sack Industry, Paper Shipping Sack Manufacturers' Association, Inc., Tarrytown, NY, 1991   |                |
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| Examiner   D | Date       |
|--------------|------------|
| Signature C  | Considered |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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